

IFW AF/\$



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of:
Bersiek)
Serial No.: 09/730,689)
Filed: December 6, 2000)
For: RACK MOUNTABLE POWER)
DISTRIBUTION APPARATUS)

Art Unit: 2836
Examiner: RIOS
CUEVAS, ROBERTO JOSE

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 on or before

JULY 16, 2004
Mark L. Miller
Title attorney
Date 7/16/04

NOTICE OF APPEAL

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby appeals to the Board of Appeals from the decision dated April 16, 2004 of the Supervisory Examiner rejecting Claims 1-10 and 12-25. The claims in the above-identified application have been at least twice rejected and, therefore, in accordance with 37 CFR 1.191, applicant appeals the above-noted decision to the Honorable Board of Patent Appeals and Interferences by filing this Notice of Appeal and the fee set forth in 37 CFR 1.17(b).

The item(s) checked below are appropriate:

- ___ 1. An extension of time to respond to the final rejection was filed on _____, for one (1) month.

____ 2. A timely response to the final rejection has been filed,
as provided in 841 O.G. 1411.

 x 3. Fee: Small Entity x \$165
 Large Entity \$330
 x Enclosed
 Not required (Fee paid in prior appeal)
 x Charge to Deposit Account No. 21-0890, if
check is insufficient.

Respectfully submitted,



Frank J. Uxa
Attorney for Applicant
Reg. No. 25,612
4 Venture, Suite 300
Irvine, CA 92618
(949) 450-1750
Facsimile (949) 450-1764

FJUxa/jm